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10/814,737	03/31/2004	Thomas M. Hall	9827/10	7206

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EXAMINER	
WENDELL, ANDREW	

ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/814,737	HALL, THOMAS M.	
	Examiner	Art Unit	
	Andrew Wendell	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *23 May 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 33 (second claim 33) is objected to because of the following informalities: there is two claim 33. The second claim 33 will be referred to claim 39 in the office action. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 38-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Mayo (US Pat# 5,133,081).

Regarding claim 38, Mayo's remotely controllable message broadcast system including central programming station, remote message transmitters and repeaters teaches an analog interface (Fig. 7); a publicly switched network 731 (Fig. 7) coupled to the analog interface; an amplitude modulating transmitter 713 (Fig. 7, Col. 20 lines 24-37) that encodes information received through the analog interface using a carrier wave of constant frequency having a varying amplitude; a controller 701 (Fig. 7) programmed to manage the information encoded onto the carrier wave 713 (Fig. 7) and synchronize a plurality of broadcasts (Col. 20 lines 24-48); and digital audio electronics 729 (Fig. 7, Col. 11 lines 37-51) configured to accept an input from a local handset 728 (Fig. 7) and the controller 701 (Fig. 7); and a modulator and a

demodulator 722 (Fig. 7) that enables the controller to communicate across the publicly switched telephone network 731 (Fig. 7) wherein the controller 701 (Fig. 7) is located away from the amplitude modulating transmitter 713 (Fig. 7).

Regarding claim 39, Mayo teaches an analog interface (Fig. 7); a publicly switched network 731 (Fig. 7) coupled to the analog interface; an first amplitude modulating transmitter 713 (Fig. 7, Col. 20 lines 24-37) that encodes information received through the analog interface using a carrier wave of constant frequency having a varying amplitude; a controller 701 (Fig. 7) programmed to manage the information encoded onto the carrier wave 713 (Fig. 7); digital audio electronics 729 (Fig. 7, Col. 11 lines 37-51) configured to accept an input from a local handset 728 (Fig. 7) and the controller 701 (Fig. 7); a modulator and a demodulator 722 (Fig. 7) that enables the controller to communicate across the publicly switched telephone network 731 (Fig. 7); a synchronizing device configured to synchronize a broadcast from the first amplitude modulating transmitter with a second broadcast transmitted from a second amplitude modulating transmitter (Col. 20 lines 24-48); wherein the controller 701 (Fig. 7) is located away from the amplitude modulating transmitter 713 (Fig. 7) and the digital audio electronics 729 (Fig. 7), and the first amplitude modulating transmitter 713 (Fig. 7) and the second amplitude modulating transmitter are configured to transmit highway advisories (Col. 22 lines 7-35).

Regarding claim 40, Mayo teaches wherein the first amplitude modulating transmitter 713 (Fig. 7) is located away from the second amplitude modulating transmitter 101 (Fig. 1).

Regarding claim 41, Mayo teaches wherein in the modulator and the demodulator 722 (Fig. 7) enables the controller to communicate across the publicly switched telephone network 731 (Fig. 7) in a serial format.

Regarding claim 43, Mayo teaches wherein the controller 701 (Fig. 7) is programmed to monitor the publicly switched telephone network 731 (Fig. 7), the amplitude modulating transmitter 713 (Fig. 7), the controller 701 (Fig. 7), the digital audio electronics 729 (Fig. 7), the modulator and the demodulator 722 (Fig. 7), and the synchronizing device (Col. 20 lines 24-48).

Regarding claim 44, Mayo teaches wherein the controller 701 (Fig. 1) comprises a computer (digital audio files from 729 of fig. 7).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-3, 6, 8-9, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter et al. (US Pat Appl# 2003/0069002) in view of Han (US Pat# 6,215,997) and further in view of Wu et al. (US Pat# 5,046,124).

Regarding claim 1, Hunter et al. method for emergency notification content delivery teaches coupling a plurality of radio stations 15, 17, and 18 (Fig. 1) in the broadcast network (Fig. 1). Hunter et al. teaches feedback 11a and 11b (Fig.1) from the radio station to the control unit12 (Fig. 1). Hunter et al. does not teach reporting a

fault condition to the control unit, a modulated radio frequency, and transmitting at a synchronous rate.

Han's technique for reporting faults of base station of digital cellular system teaches detecting a fault condition in the radio station (base station) of the plurality of radio stations (Col. 2 lines 39-45 and Col.4 lines 9-15); and communicating the fault condition to a control unit (base station management unit) of the broadcast network (Col. 2 lines 39-45 and Col.4 lines 9-15).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate reporting a fault condition to the control unit as taught by Han into Hunter et al. network system in order to report faults more quickly (Col. 2 lines 29-31).

Han and Hunter et al. fail to teach a modulated radio frequency and transmitting at a synchronous rate.

Wu et al. frequency modulated radio frequency broadcast network employing synchronous frequency modulated booster system teaches transmitting a modulated radio frequency signal through each of the plurality of radio stations at a synchronous rate (Abstract and Col. 2 line 29-Col. 3 line 7).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a modulated radio frequency and transmitting at a synchronous rate as taught by Wu et al. into a fault condition to the control unit as taught by Han into Hunter's emergency notification

network in order to provide an economical arrangement and enhance quality (Col. 3 lines 11-20).

Regarding claim 2, Hunter et al. further teaches wherein the step of communicating comprises a step of enabling the radio station 15, 17, and 18 (Fig. 1) to transmit 11a and 11b (Fig. 1) information to the control unit by a plurality of methods (i.e. TV, ISP, phone, etc..) (Sections 0050-0051).

Regarding claim 3, Hunter et al. further teaches transmitting messages by a plurality of methods from a group consisting of: sending an email (internet, Sections 0050-0051); sending a page (phone, Sections 0050-0051); calling a telephone number (phone, Sections 0050-0051); updating a web site (internet, Sections 0050-0051); and updating a database in the control unit 12 (Fig. 1).

Regarding claim 6, Hunter et al. further teaches coupling a plurality of radio stations 15, 17, and 18 (Fig. 1) in the broadcast network (Fig. 1). Hunter et al. teaches feedback 11a and 11b (Fig.1) from the radio station to the control unit12 (Fig. 1). Hunter et al. does not teach reporting a fault condition to the control unit, a modulated radio frequency, and transmitting at a synchronous rate.

Han's teaches enabling each the radio station (base station) of the plurality of radio stations to monitor its operating conditions (Col. 2 lines 39-45 and Col.4 lines 9-15); detecting a fault condition based upon the operating conditions (Col. 2 lines 39-45 and Col.4 lines 9-15); and communicating the fault condition to a control unit (base station management unit) (Col. 2 lines 39-45 and Col.4 lines 9-15).

Han and Hunter et al. fail to teach a modulated radio frequency and transmitting at a synchronous rate.

Wu et al. frequency modulated radio frequency broadcast network employing synchronous frequency modulated booster system teaches transmitting a modulated radio frequency signal through each of the plurality of radio stations at a synchronous rate (Abstract and Col. 2 line 29-Col. 3 line 7).

Regarding claim 8, Han further teaches a step of tracking the configuration of the radio station by a time-based stamp (Fig. 2 and 4). It is known a time stamp can be included in the message.

Regarding claim 9, Hunter et al. further teaches a step of receiving a command from the control unit 12 (Fig. 1, Section 0050).

Regarding claim 16, Hunter et al. teaches a central control computer 12 (Fig. 1); a plurality of radio stations 15, 17, and 18 (Fig. 1) coupled to the central control computer 12 (Fig. 1). Hunter et al. teaches feedback 11a and 11b (Fig.1) from the radio station to the control unit 12 (Fig. 1). Hunter et al. does not teach reporting a fault condition to the control unit, a modulated radio frequency, and transmitting at a synchronous rate.

Han teaches a user notification message transmitted by a radio station 12 (Fig. 1) to the central control computer 10 (Fig. 1), the user notification message indicating a fault condition (Col. 2 lines 39-45 and Col.4 lines 9-15).

Han and Hunter et al. fail to teach a modulated radio frequency and transmitting at a synchronous rate.

Wu et al. frequency modulated radio frequency broadcast network employing synchronous frequency modulated booster system teaches transmitting a modulated radio frequency signal through each of the plurality of radio stations at a synchronous rate (Abstract and Col. 2 line 29-Col. 3 line 7).

Regarding claim 17, Han further teaches wherein each radio station of the plurality of radio stations comprises a fault detection circuit (Col. 2 lines 39-45 and Col.4 lines 9-15).

Regarding claim 18, Hunter et al. further teaches wherein each radio station of the plurality of radio stations comprises a receiver for receiving control signals from the central control computer (Sections 0049-0053).

Regarding claim 19, Hunter et al. further teaches a feedback loop 11a and 11b (Fig. 1) between each the radio station 15, 17, and 18 (Fig. 1) and the central control computer 12 (Fig. 1).

2. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter et al. (US Pat Appl# 2003/0069002) in view of Han (US Pat# 6,215,997) and further in view of Wu et al. (US Pat# 5,046,124) as applied to claim 1 above, and further in view of Dowling (US Pat Appl# 20050143062).

Regarding claim 4, Hunter et al. method for emergency notification content delivery in view of Han's technique for reporting faults of base station of digital cellular system teaches the limitations in claim 1. Hunter et al., Han, and Wu et al. both fail to teach about periodically checking operating conditions.

Dowling's fixed and roving wireless system monitor teaches a step of enabling the radio station to periodically check its operating conditions (Section 0029).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate periodically checking operating conditions as taught by Dowling into a modulated radio frequency and transmitting at a synchronous rate as taught by Wu et al. into reporting a fault condition to the control unit as taught by Hunter et al. in view of Han network system in order to be aware of channel conditions (Section 0005).

Regarding claim 5, Han further teaches transmitting the status of the operating conditions to the control unit 10 (Fig. 1, Col. 2 lines 39-45 and Col.4 lines 9-15).

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter et al. (US Pat Appl# 2003/0069002) in view of Han (US Pat# 6,215,997) and further in view of Wu et al. (US Pat# 5,046,124) and further in view of Anderson et al. (US Pat# 6,058,161) and further in view of Sato et al. (US Pat# 6,665,268).

Regarding claim 7, Hunter et al. method for emergency notification content delivery in view of Han's technique for reporting faults of base station of digital cellular system teaches the limitations in claim 6. Hunter et al. teaches a broadcast monitor status (SWAP, Section 0049). Hunter et al., Han, and Wu et al. both fail teach an AC power, DC voltage, and outdated message status fault.

Anderson et al. method for programmable telephone teaches an AC Power Status fault and a DC Voltage Status fault (Col. 2 lines 9-17 and 43-56).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate an AC Power Status fault and a DC Voltage Status fault as taught by Anderson et al. into a modulated radio frequency and transmitting at a synchronous rate as taught by Wu et al. into reporting a fault condition to the control unit as taught by Hunter et al. in view of Han network system in order to detect power faults while providing flexibility (Col. 2 lines 18-23).

Hunter et al., Han, Wu et al., and Anderson fail to teach an outdated message fault.

Sato et al. fault diagnosis testing teaches an outdated Message Status fault (Col. 3 lines 40-53).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate an outdated message fault as taught by Sato et al. into an AC Power Status fault and a DC Voltage Status fault as taught by Anderson et al. into a modulated radio frequency and transmitting at a synchronous rate as taught by Wu et al. into reporting a fault condition to the control unit as taught by Hunter et al. in view of Han network system in order to produce highly reliable test results (Col. 3 lines 56-61).

4. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter et al. (US Pat Appl# 2003/0069002) in view of Han (US Pat# 6,215,997) and further in view of Wu et al. (US Pat# 5,046,124) as applied to claims 6 and 9 above, and further in view of Dillon (US Pat Appl# 2004/0202166).

Regarding claim 10, Hunter et al. method for emergency notification content delivery in view of Han's technique for reporting faults of base station of digital cellular system teaches the limitations in claims 6 and 9. Hunter et al., Han, and Wu et al. fail to teach an acknowledgement message from the radio station.

Dillon's network system teaches providing a feedback signal indicating that the command was successfully executed by the radio station (Sections 0008-0009 and 0064).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate an acknowledgement message from the radio station as taught by Dillon into a modulated radio frequency and transmitting at a synchronous rate as taught by Wu et al. into reporting a fault condition to the control unit as taught by Hunter et al. in view of Han network system in order to be aware of channel conditions (Section 0005).

Regarding claim 20, Hunter et al. in view of Han teaches the limitations in claims 16 and 19. Hunter et al. further teaches wherein each radio station of the plurality of radio stations 15, 17, and 18 (Fig. 1) comprises a transmitter for coupling a feedback signal 11a and 11b by way of the feedback loop from the radio station 15, 17, or 18 (Fig. 1) to the central control computer 12 (Fig. 1). Hunter et al., Han, and Wu et al. fail to teach an acknowledgement message from the radio station.

Dillon teaches a feedback signal indicating that the command was successfully executed by the radio station (Sections 0008-0009 and 0064).

5. Claims 11-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter et al. (US Pat Appl# 2003/0069002) in view of Wu et al. (US Pat# 5,046,124).

Regarding claim 11, Hunter et al. method for emergency notification content delivery teaches coupling a plurality of radio stations 15, 17, and 18 (Fig. 1) in the broadcast network; receiving a command 11a and 11b (Fig.1) at a radio station of the plurality of radio stations (Sections 0050-0051); and detecting a transmission method (Sections 0049, 0050-0053) for a command 11a and 11b (Fig.1) received by the radio station (Sections 0050-0051). Hunter et al. teaches the system being used for radio (Section 0059), however Hunter et al. fails to teach a modulated radio frequency and transmitting at a synchronous rate.

Wu et al. frequency modulated radio frequency broadcast network employing synchronous frequency modulated booster system teaches transmitting a modulated radio frequency signal through each of the plurality of radio stations at a synchronous rate (Abstract and Col. 2 line 29-Col. 3 line 7).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a modulated radio frequency and transmitting at a synchronous rate as taught by Wu et al. into Hunter's emergency notification network in order to provide an economical arrangement and enhance quality (Col. 3 lines 11-20).

Regarding claim 12, the combination including Hunter et al. teaches wherein the step of detecting a transmission method comprises a step of determining whether DTMF tones or digital serial commands are transmitted (Section 0049).

Regarding claim 13, the combination including Hunter et al. teaches of automatically adapting to the determined transmission method (Section 0049 and 0135).

Regarding claim 14, the combination including Hunter et al. teaches a step of executing the command (sections 0050-0053 and 0060).

Regarding claim 15, the combination including Hunter et al. teaches a step of providing a feedback command that the command was successfully executed (Section 0066).

6. Claims 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter et al. (US Pat Appl# 2003/0069002) in view of Dillon (US Pat Appl# 2004/0202166) and further in view of Wu et al. (US Pat# 5,046,124).

Regarding claim 21, Hunter et al. system for emergency notification content delivery teaches a central control computer 12 (Fig. 1) generating a command (Section 0050); a plurality of radio stations coupled to receive the command from the central control computer 15, 17, and 18 (Fig. 1); a feedback loop 11a and 11b between each the radio station and the central control computer. Hunter et al. fails to teach a feedback loop from the radio station to the central control giving an acknowledgement signal, a modulated radio frequency, and transmitting at a synchronous rate.

Dillon's network system teaches a feedback signal coupled by way of the feedback loop from the radio station (network) to the central control computer (source computer), the feedback signal indicating that the command was successfully executed by the radio station (Sections 0008-0009, 0064, 0145, and 0148).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate an acknowledgement message from the radio station as taught by Dillon into Hunter et al. network system in order to be aware of channel conditions (Section 0005).

Hunter et al. and Dillon fail to teach a modulated radio frequency and transmitting at a synchronous rate.

Wu et al. frequency modulated radio frequency broadcast network employing synchronous frequency modulated booster system teaches transmitting a modulated radio frequency signal through each of the plurality of radio stations at a synchronous rate (Abstract and Col. 2 line 29-Col. 3 line 7).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a modulated radio frequency and transmitting at a synchronous rate as taught by Wu et al. into an acknowledgement message from the radio station as taught by Dillon into Hunter's emergency notification network in order to provide an economical arrangement and enhance quality (Col. 3 lines 11-20).

Regarding claim 23, Hunter et al. further teaches wherein each radio station 15, 17, and 18 (Fig. 1) of the plurality of radio stations comprises a receiver for a receiving control signals from the central control computer 12 (Fig. 1, Sections 0049-0053).

7. Claims 22 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter et al. (US Pat Appl# 2003/0069002) in view of Dillon (US Pat Appl#

2004/0202166) and further in view of Wu et al. (US Pat# 5,046,124) in view further in view of Han (US Pat# 6,215,997).

Regarding claim 22, Hunter et al. system for emergency notification content delivery in view of Dillon's network system teaches the limitations in claim 21. Hunter et al., Dillon, and Wu et al. fail to teach a fault detection circuit.

Han's technique for reporting faults of base station of digital cellular system teaches wherein each radio station (base station) of the plurality of radio stations comprises a fault detection circuit (Col. 2 lines 39-45 and Col.4 lines 9-15).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a fault detection circuit as taught by Han into a modulated radio frequency and transmitting at a synchronous rate as taught by Wu et al. into an acknowledgement message from the radio station as taught by Hunter et al. in view of Dillon network system in order to report faults more quickly (Col. 2 lines 29-31).

Regarding claim 24, Han further teaches a user notification signal generated by the radio station (base station) in response to the detection by the radio station of a fault (Col. 2 lines 39-45 and Col.4 lines 9-15).

Regarding claim 25, Hunter et al. further teaches transmitting messages by a plurality of methods from a group consisting of: sending an email (internet, Sections 0050-0051); sending a page (phone, Sections 0050-0051); calling a telephone number (phone, Sections 0050-0051); updating a web site (internet, Sections 0050-0051); and updating a database in the control unit 12 (Fig. 1).

8. Claims 26-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayo (US Pat# 5,133,081) in view of Zellner et al. (US Pat Appl# 2004/0088345).

Regarding claim 26, Mayo's remotely controllable message broadcast system including central programming station, remote message transmitters and repeaters teaches an interface (Fig. 7); a publicly switched network 731 (Fig. 7) coupled to the interface; a amplitude modulating transmitter 713 (Fig. 7, Col. 20 lines 24-37) that encodes information received through the interface using a carrier wave of constant frequency having a varying amplitude; a controller 707 (Fig. 7) programmed to manage the information encoded onto the carrier wave 713 (Fig. 7 lines 24-37); and digital audio electronics 729 (Fig. 7, the signal from the handset is converted to a digital inputted signal into the controller, Col. 11 lines 37-51) configured to accept an input from a local handset 728 (Fig. 7) and the controller 701 (Fig. 7); wherein the controller 701 (Fig. 7) is located away from the amplitude modulating transmitter 713 (Fig. 7) and the digital audio electronics 729 (Fig. 7), and the controller is configured to transmit data 712 and 713 (Fig. 7). Mayo fails to teach using a transmission control protocol and an internet protocol.

Zellner et al. access to IP-based emergency services teaches an interface (Fig. 6) using a transmission control protocol and an internet protocol (Sections 0031 and 0033-0034).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a transmission control protocol and an internet protocol as taught by Zellner et al. into Mayo's

message broadcast system in order to offer an option of using the internet to transmit an emergency message (Section 0012).

Regarding claim 27, the combination including Mayo teaches wherein the digital audio electronics 729 (Fig. 7) are configured to receive messages expressed through a combination of tones (Col. 15 lines 19-34 and from 731 of Fig. 7).

Regarding claim 28, the combination including Mayo teaches wherein the digital audio electronics are further configured to receive messages through digital commands (from digital controller 701 and modem 722).

Regarding claim 29, the combination including Mayo teaches wherein the digital audio electronics are further configured to receive messages through digital commands (from digital controller 701 and modem 722).

Regarding claim 30, the combination including Mayo teaches modulator and a demodulator 722 (Fig. 7) that enables the controller to communicate across the publicly switched network 731 (Fig. 7).

Regarding claim 31, the combination including Mayo teaches wherein the input comprises digitally encoded audio information (the audio storage assembly has digital messages, Col. 15 lines 19-34).

Regarding claim 32, the combination including Mayo teaches wherein the input comprises a plurality of signals having frequencies in a range of perception of a human ear (Voice recordings and voice microphone, 728 of Fig. 7).

Regarding claim 33, the combination including Mayo teaches a frequency modulation transmitter that encodes information received through the interface (Col. 20 lines 24-37).

Regarding claim 34, the combination including Mayo teaches a synchronizing device that coordinates a communication facilitated through the digital audio electronics with a second communication occurring at a second location (Col. 20 lines 44-48).

Regarding claim 35, the combination including Mayo teaches a synchronizing device that matches a timing of a broadcast transmitted from the amplitude modulating transmitter with a second broadcast transmitted from a second amplitude modulating transmitter located away from the amplitude modulating transmitter (Col. 20 lines 44-48).

Regarding claim 36, the combination including Mayo teaches wherein the amplitude modulating transmitter and the second amplitude modulating transmitter broadcast at a common frequency (Col. 20 lines 24-48).

Regarding claim 37, the combination including Mayo teaches wherein the synchronizing device is configured to transmit a wireless sync signal (Col. 20 lines 24-48).

Response to Arguments

9. Applicant's arguments with respect to claims 1-44 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Wendell whose telephone number is 571-272-0557. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrew Wendell
Examiner
Art Unit 2618

6/7/2006

NAY MAUNG
SUPERVISORY PATENT EXAMINER